



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260
August 18, 2009

LUCY BAXLEY, PRESIDENT

JAN COOK, ASSOCIATE COMMISSIONER

SUSAN D. PARKER, PHD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.

SECRETARY

MEMORANDUM

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THRU: Judy McLean, Director
Advisory Division

FROM: Aquilla Spivey, Manager
Consumer Services

SUBJECT: Monthly Commission Meeting

The following items will be presented to the Commission during the regular monthly meeting to be held on Tuesday, August 25, 2009:

Monthly Activity Report of complaints, inquiries, meetings and field investigations.

Alabama Public Service Commission

Report Date: 8/19/2009

Consumer Service Section

Monthly Activity Report

Between 7/1/2009 And 7/31/2009

Utility Company Code	Needs Service	High Bills	Deposit	Service Problems	Payment Arrangements	Denied Toll	Slamming	Cramming	Billing Problems	Non-Pay Disconnect	900/Pay Per Call	No Jurisdiction	Other	Inquiries	Total
Alabama Power	1	5		4					12				2	69	93
Alagasco														13	13
Ardmore															
AT & T Southeast	1			44		1	2		15			5		16	84
Castleberry															
CenturyTel	1			5					3				2	3	14
Deltacom				1											1
Farmers															
Floral															
Frontier															
Graceba															
Gulf															
Hayneville															
Knology of Valley															
MCI						1								1	2
Millry															
Mobile Gas Service									1			1		3	5
Mon-Cre															
Moundville															
National															
New Hope															
OTELCO															
Pine Belt															
Ragland															
Roanoke															
Sprint															
TDS Telecom				1					1					1	3
Union Springs															
Windstream															
Water Companies															
Local Resellers									1				1	2	4
Miscellaneous Inquiries															345
Misc Jurisdiction				2			2	5	5				1	3	18
900/Pay Per Call															
No Jurisdiction	1			1					7					18	27
Other															
Toll Resellers							2		2						4
TOTALS	4	5		58		2	6	5	47			6	6	129	613

Field Investigations - 2

Meetings Held/Attended - 0



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WALTER THOMAS JR.

SECRETARY

August 13, 2009

MEMORANDUM

**TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker**

**FROM: Janice M. Hamilton, Director
Energy Division**

SUBJECT: Agenda - August 25, 2009 Commission Meeting

The Energy Division will present the following items at the August 25, 2009 Commission Meeting.

NATURAL GAS

ALABAMA GAS CORPORATION

Docket 18046 Division Report on Rate RSE as of June 30, 2009
and
18328

Docket 21105 Application for approval of a First Amendment, dated October 1, 2008, to
the Gas Service Agreement with the Northwest Alabama Gas District

Recommendation: Approval

Docket U-4936 Application for Approval of a Base Contract for Purchase of Natural Gas
with Southwestern Energy Services Company

Recommendation: Approval

Docket U-4937 Application for Approval of a Base Contract for Purchase of Natural Gas
with NJR Energy Services Company

Recommendation: Approval

Docket U-4938 Application for Approval of a Gas Service Agreement, dated November 1, 2008, between Alabama Gas Corporation and Lehigh Cement Company, Inc.

Recommendation: Approval

MOBILE GAS SERVICE CORPORATION

Docket 28101 Division Report on Rate RSE as of June 30, 2009

ELECTRICITY

ALABAMA POWER COMPANY

Docket 18117 Division Report on Rate RSE and Rate ECR as of June 30, 2009
and
18416;
18148

SUMMARY OF OTHER ENERGY FILING (S)

ALABAMA POWER COMPANY

Docket D-6476 Alabama Power Company filed a petition seeking approval of Amendment No. 1 to the Contract for Electric Power, dated October 24, 1994, under Docket No. U-3456, with NUCOR Steel Tuscaloosa, Inc

Status: Pursuant to Rate FCR, this Amendment becomes effective July 30, 2009

Docket D-6485 Alabama Power Company filed a petition seeking approval of Amendment No. 5 to the Contract for Electric Power, dated December 8, 1995, under Docket No. U-3651, with United States Steel Corporation

Status: Pursuant to Rate FCR, this Amendment becomes effective August 3, 2009



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August 18, 2009

LUCY BAXLEY, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
SUSAN D. PARKER, PhD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Alabama Gas Corporation as of June 30, 2009

As part of the Division's monitoring function, the staff has developed the return on average common equity for Alabama Gas Corporation for the twelve months ending June 30, 2009.

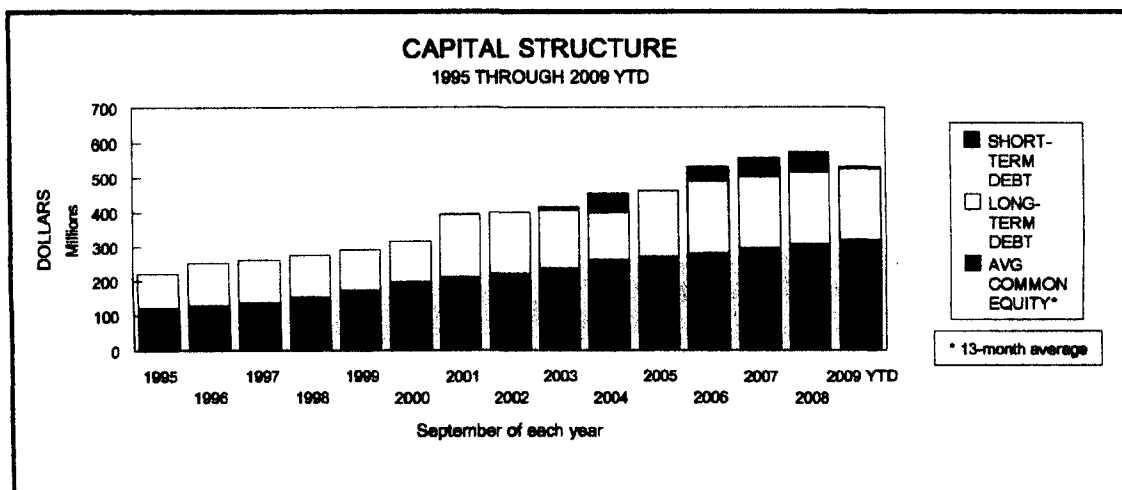
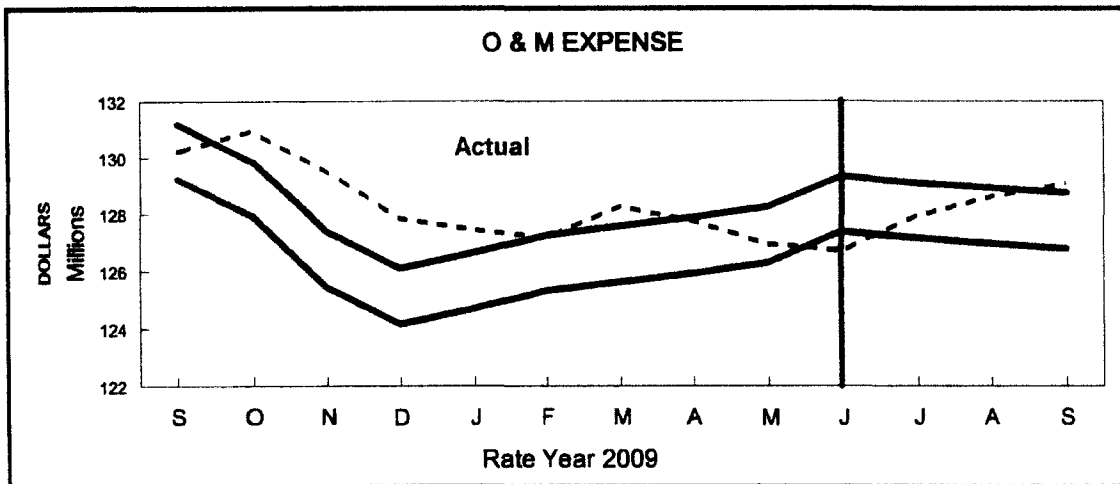
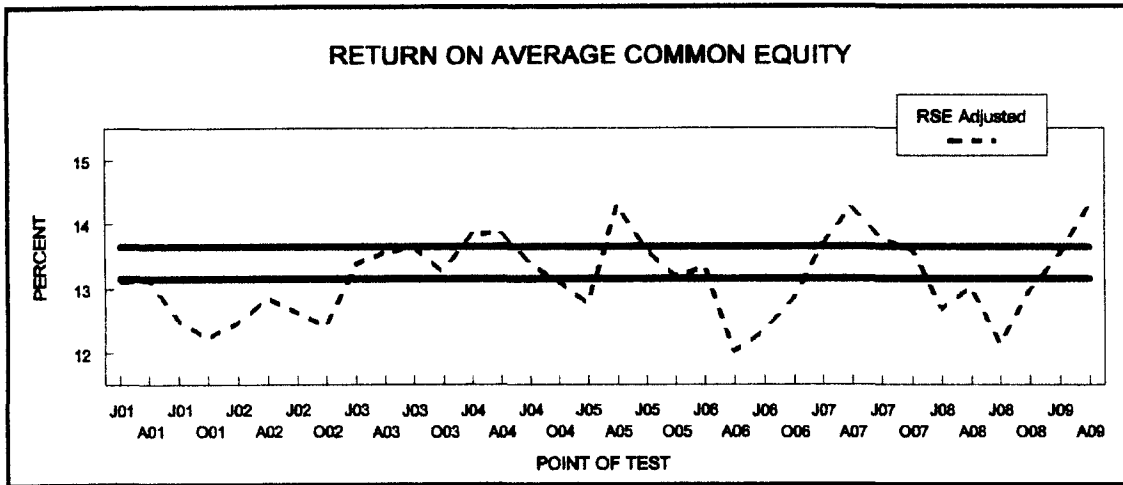
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending June 30, 2009, is 15.0 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 15.1 percent.

Return on Equity at June 2009		
	Financial	RSE
Average Common Equity	\$320,685,444	\$320,685,444
Net Income	\$47,958,056	\$47,958,056
Net Expense Adjustment		\$353,718
RSE Net Income		\$48,311,774
RSE Return on Common Equity	14.95%	15.07%

Attachment:

ALABAMA GAS CORPORATION

June 2009





STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

July 27, 2009

LUCY BAXLEY, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
SUSAN D. PARKER, PhD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Mobile Gas Service Corporation as of June 30, 2009

As part of the Division's monitoring function, the staff has developed the return on average common equity for Mobile Gas Service Corporation for the twelve months ending June 30, 2009.

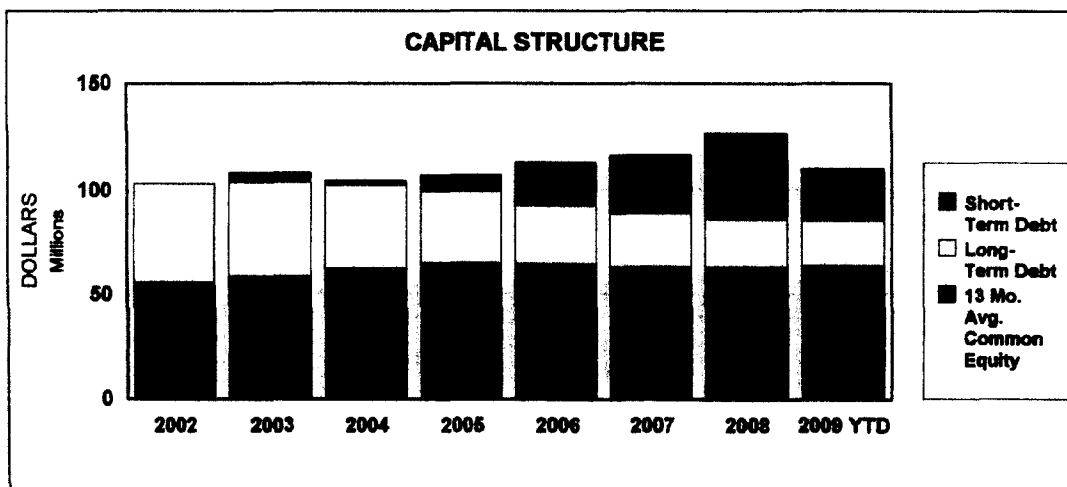
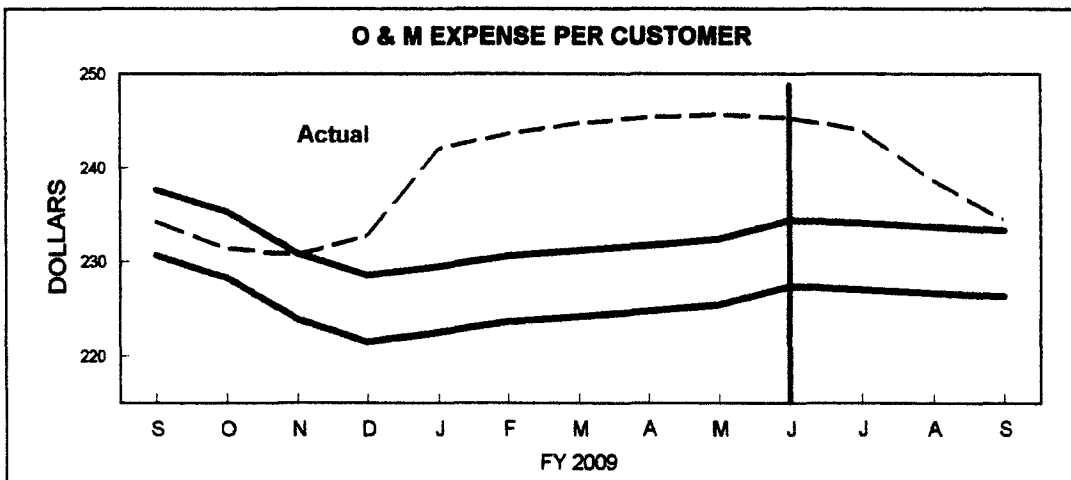
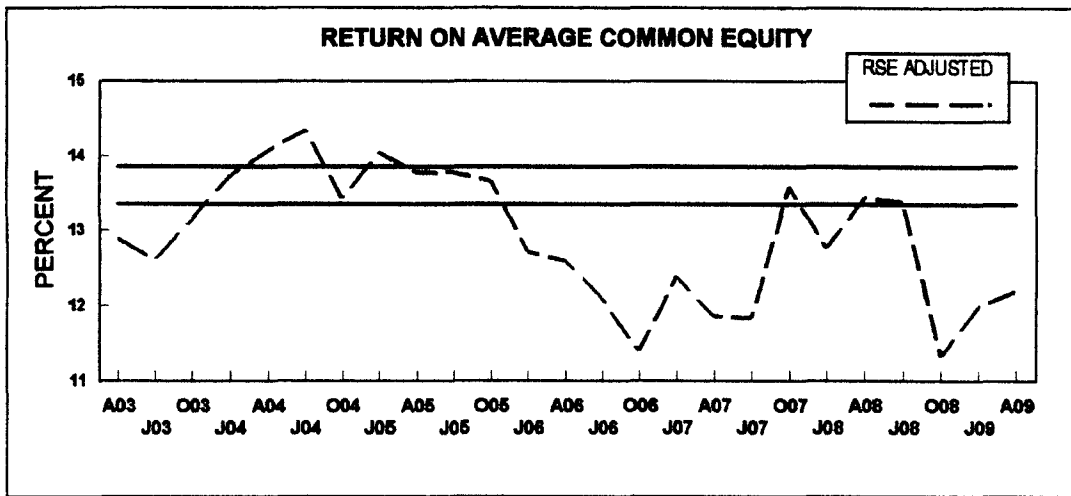
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending June 30, 2009, is 12.4 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 12.6 percent.

Return on Equity at June 2009		
	Financial	RSE
Average Common Equity	\$63,804,918	\$63,804,918
Net Income	\$7,900,545	\$7,900,545
Net Expense Adjustment		\$113,539
RSE Net Income		\$8,014,084
RSE Return on Common Equity	12.38%	12.56%

Attachment:

MOBILE GAS SERVICE CORPORATION

June 2009





STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

July 28, 2009

LUCY BAXLEY, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
SUSAN D. PARKER, PHD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

MEMORANDUM

TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THROUGH: Janice M. Hamilton, Director
Energy Division

FROM: John D. Free, Manager
Electricity Section

SUBJECT: Division Report on Rate RSE and Rate ECR for Alabama Power Company
as of June 30, 2009

The Energy Division performed the regular monthly examination of the books and records of Alabama Power Company. The financial highlights are presented in the tables below.

Rate RSE Forecast
12 Months Ending DECEMBER 31, 2009
12.65%

Rate ECR Summary	
Recovery for JUNE 2009	Balance as of JUNE 30, 2009
\$20,010,617 Over-Recovered	\$102,112,287 Under-Recovered

The attached report, prepared for review by the Commission, presents the Energy Division's computations and determinations of the December 2009 Retail Return on Average Common Equity. In addition, the current and projected status pertaining to the accumulated Over and Under Recovery for Rate ECR is presented.

JDF
Attachments

ENERGY DIVISION

**Alabama Power Company
 Forecast of Retail Return on Average Common Equity
 For the 12 Months Ending December 31, 2009**

Common Equity as of June 30, 2009		\$4,940,209,311
Add Budgeted Net Income:		
July through December 2009	\$334,393,000	
Add Budgeted Capital Contributions:		
July through December 2009	\$283,295,000	
Add Other Adjustments:		
July through December 2009	<u>\$847,000</u>	\$618,535,000
Deduct Budgeted Stock Dividends:		
July through December 2009	<u>\$296,886,000</u>	<u>\$296,886,000</u>
Projected Common Equity as of December 31, 2009		\$5,261,858,311
<hr/>		
Projected Average Common Equity For the 12 Months Ending December 31, 2009		\$5,017,614,848
Projected Retail Investment Separation Factor		88.70%
Projected Average Retail Common Equity For the 12 Months Ending December 31, 2009		\$4,450,624,371
Projected Retail Net Income For the 12 Months Ending December 31, 2009		\$563,150,217
Projected Retail Return On Average Common Equity For the 12 Months Ending December 31, 2009		12.65%

The Common Equity as of June 30, 2009 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2009 budget. The average common equity is a 12-month average using actual and budgeted data. The average retail common equity (RCE) was calculated using an estimated retail separation factor of 88.70%. The retail net income (RNI) for average common equity was calculated by using actual data for the six months ended June 30, 2009, and then adding six months of budget data for July through December 2009. The Other Adjustments added to projected common equity is the result of the Company adopting FASB Statement 123 (R), which requires the reporting of stock option expenses.

The Forecast is subject to change due to uncertainties associated with weather, customer usage patterns, and economic conditions across the state.

ENERGY DIVISION

Alabama Power Company
Forecast of Energy Cost Recovery
For the Period Ending December 31, 2009

	Energy Cost (\$/MWH)		ECR Seasonal Factor (\$/MWH)	Over/(Under) Recovery	
	Month	12 Months Ended		Month (\$)	Cumulative (\$)
JAN 08 Act	28.46	27.63	29.472	(188,721)	(280,053,856)
FEB 08 Act	25.27	27.56	29.472	23,607,986	(256,445,869)
MAR 08 Act	20.74	27.41	29.472	34,208,587	(222,237,282)
APR 08 Act	22.45	27.02	29.472	29,229,360	(193,007,922)
MAY 08 Act	24.11	26.79	29.472	12,325,990	(180,681,932)
JUN 08 Act	36.34	27.59	33.418	(24,664,734)	(205,346,666)
JUL 08 Act	37.78	28.72	33.418	(33,878,517)	(239,225,183)
AUG 08 Act	37.80	28.92	33.418	(18,318,995)	(257,544,178)
SEP 08 Act	43.80	30.51	33.418	(43,112,535)	(300,656,713)
OCT 08 Act	37.79	31.10	37.866	(6,656,296)	(307,313,009)
NOV 08 Act	41.92	32.16	37.866	(21,274,681)	(328,587,690)
DEC 08 Act	33.40	32.80	37.866	22,954,887	(305,632,803)
JAN 09 Act	32.14	33.13	37.866	17,588,864	(288,043,939)
FEB 09 Act	29.23	33.48	37.866	46,249,431	(241,794,508)
MAR 09 Act	23.72	33.80	37.866	52,791,864	(189,002,644)
APR 09 Act	27.98	34.27	37.866	30,703,964	(158,298,681)
MAY 09 Act	25.20	34.42	37.866	36,175,778	(122,122,904)
JUN 09 Act	34.09	34.19	40.242	20,010,617	(102,112,287)
JUL 09 Bud	42.53	34.69	40.242	(18,610,318)	(120,722,605)
AUG 09 Bud	44.24	35.38	40.242	(28,553,396)	(149,276,001)
SEP 09 Bud	38.19	34.85	40.242	31,335,636	(117,940,365)
OCT 09 Bud	35.42	34.67	35.490	2,245,370	(115,694,995)
NOV 09 Bud	36.57	34.28	35.490	(5,934,080)	(121,629,075)
DEC 09 Bud	37.67	34.65	35.490	(15,705,490)	(137,334,565)

The estimates used in the above table are subject to change due to uncertainties associated with weather, customer usage patterns, and economic conditions across the state.



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WALTER THOMAS JR.

SECRETARY

MEMORANDUM

DATE: August 13, 2009

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

FROM: Darrell A. Baker *DAB*
Telecommunications Division

SUBJECT: Agenda for August 25, 2009 Commission Meeting.

The following items will be presented to the Commission during the regular August 25, 2009 Commission Meeting.

INTERCONNECTION AGREEMENT (S)

Docket U-4115 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and THE GREAT AMERICAN ENTERPRISE d/b/a MPW PAGING -- Approval of the Interconnection Agreement (CMRS Paging) negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and The Great American Enterprise, Inc. d/b/a MPW Paging pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

Docket U-4136 ALTERNATIVE PHONE, INC. and BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Approval of the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and Alternative Phone, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

- Docket U-4638 AFFORDABLE PHONE SERVICES, INC. and BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Approval of the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and Affordable Phone Services, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4932 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and FARMERS TELECOMMUNICATIONS CORPORATION -- Approval of the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and Farmers Telecommunications Corporation pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4933 ACCESS POINT, INC. and WINDSTREAM ALABAMA, LLC -- Approval of the Interconnection Agreement negotiated by Windstream Alabama, LLC and Access Point, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4934 TCG MIDSOUTH, INC. and WINDSTREAM ALABAMA, LLC -- Approval of the Interconnection Agreement negotiated by Windstream Alabama, LLC and TCG Midsouth, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4935 AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, LLC and WINDSTREAM ALABAMA, LLC -- Approval of the Interconnection Agreement negotiated by Windstream Alabama, LLC and AT&T Communications of the South Central States, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

AMENDED INTERCONNECTION AGREEMENT (S)

- Docket U-4791 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and KENTUCKY DATA LINK, INC. -- Approval of an Amendment to the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and Kentucky Data Link, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4833 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and NEXUS COMMUNICATIONS, INC. -- Approval of an Amendment to the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and Nexus Communications, Inc., d/b/a TSI pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

PETITION (S)

- Docket U-4928 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Petition for Review of Administrator's Denial of Numbering Resources in the Huntsville Rate Center.
Recommend Approval.

NAME CHANGE (S)

- Docket 30436 SWIFTEL, LLC -- Changes the Company name to Lifeconnex Telecom, LLC.
Recommend Approval.

MISCELLANEOUS

Docket 30934 ALL TELECOMMUNICATIONS COMPANIES -- Registration of Third-Party Providers for Telecommunications Billings. Third-Party Providers and Billing Aggregators request approval of their registration with the Commission for purposes of including their charges on the consumer bills of regulated telecommunications carriers.
Recommend Approval.

SUMMARY OF OTHER FILING (S)

- D-6478 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Increase rates for Residential Vertical Services in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Also revises the rate for Line Connection Charges. Filed June 25, 2009, with a requested effective date of July 11, 2009.
- D-6487 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Revises General Subscriber Services Tariff in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed July 15, 2009, with a requested effective date of August 1, 2009.
- D-6472 IMAGE ACCESS, INC. d/b/a NEW PHONE -- Adds new services, and adjusts non-recurring service charges and monthly rates for several services. Filed July 13, 2009, with a requested effective date of July 15, 2009.
- D-6473 FAST PHONES, INC. -- Introduces Lifeline and Link-Up Assistance Programs, and reduces Prepaid Local Exchange Service rates. Filed June 25, 2009, with a requested effective date of June 29, 2009.
- D-6475 CHARTER FIBERLINK-ALABAMA, LLC -- Makes textual changes to clarify description information on Call Return and Repeat Dialing. Filed July 7, 2009, with a requested effective date of July 8, 2009.

- D-6477 BIRCH TELECOM OF THE SOUTH, INC. d/b/a BIRCH COMMUNICATIONS -- Revises Access Services Tariff to concur with the Rules and Regulations and Services set forth in Birch Communications, Inc.'s Alabama Tariff No. 3. Filed June 26, 2009, with a requested effective date of June 30, 2009.
- D-6479 BIRCH COMMUNICATIONS, INC. -- Adds Birch Telecom of the South, Inc. as a concurring carrier to the Rules and Regulations and Services of the Company's Access Services Tariff. Also introduces a new provision to the Payment Arrangements for Billing and Collection of Charges. Filed June 26, 2009, with a requested effective date of June 30, 2009.
- D-6480 OAKMAN TELEPHONE COMPANY -- Replaces the General Subscribers Tariff. The new tariff will concur with Butler Telephone Company's General Subscriber Tariff, with exceptions being listed in the replacement tariff. Filed July 17, 2009, with a requested effective date of August 19, 2009.
- D-6481 PEOPLES TELEPHONE COMPANY d/b/a TDS TELECOM -- Replaces the General Subscribers Tariff. The new tariff will concur with Butler Telephone Company's General Subscriber Tariff, with exceptions being listed in the replacement tariff. Filed July 17, 2009, with a requested effective date of August 19, 2009.
- D-6482 BUTLER TELEPHONE COMPANY -- Replaces the General Subscribers Tariff. The replacement tariff will serve as the main tariff for all of the TDS Telecom companies operating in Alabama. Other TDS Telecom companies will concur with the main tariff with minor exceptions listed in their individual tariffs. Filed July 17, 2009, with a requested effective date of August 19, 2009.
- D-6483 WINDSTREAM ALABAMA, LLC -- Incorporates NECA's special access rate revisions into the Intrastate Access Services Tariff. Filed July 17, 2009, with a requested effective date of August 1, 2009.
- D-6484 WINDSTREAM ALABAMA, LLC -- Revises General Subscriber Services Tariff in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed July 1, 2009, with a requested effective date of August 1, 2009.

- D-6486 TCG MIDSOUTH, INC. -- Revises Local Telephone Exchange Services Tariff in accordance with provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Also, introduces Universal Emergency Number Service (E-911) Tariff. Filed July 23, 2009, with a requested effective date of August 1, 2009.
- D-6488 CENTURYTEL OF NORTHERN ALABAMA -- Revises General Subscriber Services Tariff in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed June 12, 2009, with a requested effective date of August 1, 2009.
- D-6489 CENTURYTEL OF SOUTHERN ALABAMA -- Revises General Subscriber Services Tariff in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed June 12, 2009 with a requested effective date of August 1, 2009.
- D-6490 WINDSTREAM ALABAMA, LLC -- Introduces language in the Access Services Tariff to modify General Regulations regarding Jurisdictional Reporting when originating information is not available. Filed July 31, 2009, with a requested effective date of August 10, 2009.
- D-6491 CHARTER FIBERLINK-ALABAMA, LLC -- Reduces the monthly residential rate for Private Number Service. Filed August 3, 2009, with a requested effective date of August 14, 2009.



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LUCY BAXLEY, PRESIDENT

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SUSAN D. PARKER, PHD, ASSOCIATE COMMISSIONER

WALTER THOMAS JR.

SECRETARY

MEMORANDUM

DATE: August 14, 2009

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Agenda - August 25, 2009 Commission Meeting

The Legal Division will present the following at the August 25, 2009 Commission

DOCKET C-15554 (M) - Petition of Johnnie D. Hairel, Sr. d/b/a Johnnie D. Hairel Construction for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-15555 (M) - Petition of Ja-Loc, d/b/a Lockridge Trucking for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-15556 (M) - Application of Lloyd Thomas Guinn, d/b/a T & P Hauling for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-15557 (M) - Petition of Jerry Mills, d/b/a Bi-City Hauling for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-15558 (M) - Petition of B & C Trucking, LLC, d/b/a B & C Trucking for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-15376 (M) - Petition of Bruce Lambert, d/b/a Troll Truck Lines for reinstatement of Motor Carrier Certificate F4114 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15482 (M) - Petition of Vincent Carl Peoples, d/b/a V & T Trucking for reinstatement of Motor Carrier Certificate F3130 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15523 (M) - Petition of William R. Miles, d/b/a Truck & Equipment for reinstatement of Motor Carrier Certificate F1221 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15499 (M) - Petition of Raj Kumar, d/b/a AAAA Cab Company for reinstatement of Motor Carrier Certificate 3916 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15366 (M) - Petition of Jones Hauling, LLC for reinstatement of Motor Carrier Certificate F3394 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 30990 (M) - Alabama Public Service Commission v. A & S Leasing, *et. al.* Motor Carrier Annual Report proceeding. Jones Hauling, LLC has now appeared and filed its Annual Report for 2007 operations.

Recommend: Dismissal of Jones Hauling, LLC from this proceeding and reinstatement of its Motor Carrier Certificate.

DOCKET 29835 (M) - Petition of DWF Trucking, LLC, d/b/a DWF Trucking for cancellation of Motor Carrier Certificate F3351.

Recommend: Grant cancellation as requested.

DOCKET 30001 (M) - Petition of Holiday Construction, Inc. for cancellation of Motor Carrier Certificate F316.

Recommend: Grant cancellation as requested.

DOCKET 29489 (M) - Petition of Emco Trucking, LLC for cancellation of Motor Carrier Certificate F3161.

Recommend: Grant cancellation as requested.

DOCKET 30582 (M) - Petition of Donald G. Phillips, Jr. & April G. Phillips, d/b/a Phillips Trucking for cancellation of Motor Carrier Certificate F3869.

Recommend: Grant cancellation as requested.

DOCKET 30443 (M) - Petition of KW Trucking, Inc. for cancellation of Motor Carrier Certificate F3774.

Recommend: Grant cancellation as requested.

DOCKET C-15346; (M) - Petition of Abe's Trucking, LLC ("Abe's") for cancellation of
30347 Motor Carrier Certificate F3716 (Docket 30347). Certificate F3716 revoked due to Abe's failure to maintain proper proof of liability insurance coverage (Informal Docket C-15346).

Recommend: Vacate Order of Revocation (Informal Docket C-15346) and reinstate Motor Carrier Certificate F3716 for the sole purpose of cancelling in good standing/Grant cancellation as requested (Docket 30347).

DOCKET 31087 (M) - Motor Carrier Certificate 3944 issued to Breed Taxi Cab, LLC ("BTC") by Commission Order dated March 31, 2009. Said Order also required BTC to file proof of liability insurance coverage and a tariff and obtain registration numbers within 90 days from the March 31, 2009, Order. BTC has failed to timely make the filings.

Recommend: Cancellation on 30-days' notice.

DOCKET 31134 (M) - Motor Carrier Certificate F396 transferred to John Ray Enterprises, LLC ("JRE") by Commission Order dated May 8, 2009. Said Order also required "JRE" to file proof of cargo insurance coverage and obtain registration numbers within 90 days from the May 8, 2009, Order. JRE has failed to timely make the filings.

Recommend: Cancel on 30-days' notice.

DOCKET 31140 (M) - Motor Carrier Certificate F3788 transferred to J. E. Reed Trucking, L.L.C. ("J. E. Reed") by Commission Order dated May 8, 2009. Said Order also required J. E. Reed to file proof of liability and cargo insurance coverage within 90 days from the May 8, 2009, Order. J. E. Reed has failed to timely make the filings.

Recommend: Cancellation on 30-days' notice.

DOCKET 31034 (M) - Motor carrier application of Express Transportation of Alabama, LLC, d/b/a Express Medical Transporters ("EMT") for a motor carrier permit to provide non-emergency medical transportation services. Hearing held; protests to the application were filed. EMT has now filed a Motion to Withdraw its Application.

Recommend: Grant Motion/Dismiss application

DOCKET 31216 (M) - Alabama Public Service Commission v. A-1 Brick, Sand & Mortar, Inc., *et al.* Motor Carrier Annual Report Show Cause Hearing for those carriers who failed to file Annual Reports for 2008 operations.

Recommend: Issuance of order establishing Show Cause Hearing for all carriers who failed to file 2008 Annual Reports.

DOCKET 31160 (M) - Application of 321 Communications, Inc. for a Certificate of Public Convenience and Necessity to provide Local Exchange Service within the State of Alabama. Hearing held, no intervention, staff participated.

Recommend: Approval

DOCKET 31158 (M) - Application of NovaTel Ltd., Inc. for approval of a Certificate of Public Convenience and Necessity to provide Long Distance Resale Telecommunications Services in the State of Alabama. Hearing held, no intervention, staff participated.

Recommend: Approval

DOCKET 31151 (M) - Application of All American Telecom, Inc. for a Certificate of Public Convenience and Necessity to provide Local Exchange Telecommunications Services in the State of Alabama. Hearing held, no intervention, staff participated.

Recommend: Approval subject to filing a \$10,000 bond.

DOCKET 31092 (M) - APSC v. Benchmark Communications, LLC, d/b/a Com One, et. al. Show cause proceeding against carriers that have failed to file interconnection or resale agreements in accordance with the terms of their certificate. Hearing was held, staff participated. Five respondents appeared at the hearing.

Recommend: Dismissal of Benchmark Communications, LLC, d/b/a Com One from the proceedings, grant Mitel NetSolutions, Inc. and MCC Telephony of the South, d/b/a Mediacom Communications a 60 day extension to file their agreements, and grant Intrado Communications, Inc. and Wholesale Carrier Services, Inc. a one year extension in order to complete negotiations. Recommend revocation of Certificate of carriers that failed to appear.

DOCKET 31035 (G) - Complaint of AT&T Communications of the South Central States, LLC regarding CenturyTel of Alabama, LLC's Practice of Billing Carrier Common Line Charges to Transport Intrastate IntraLATA Traffic. The Parties to this cause have submitted a Joint Stipulation of Dismissal.

Recommend: Grant dismissal with prejudice as jointly requested by the Parties.

LEGAL DIVISION AGENDA

August 25, 2009 Commission Meeting

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DOCKET 31052 (G) - Show cause proceeding for companies that failed to pay their Inspection and Supervision Fees for 2008. Bandwidth.com CLEC, LLC ("Bandwidth.com") previously had its authority revoked in this proceeding, but has now paid its Inspection and Supervision fees and the associated fine. Bandwidth.com accordingly seeks reinstatement.

Recommend: Grant reinstatement and dismiss from proceeding.



STATE OF ALABAMA

ALABAMA PUBLIC SERVICE COMMISSION

P.O. BOX 304260

MONTGOMERY, ALABAMA 36130-4260

LUCY BAXLEY, PRESIDENT

JAN COOK, ASSOCIATE COMMISSIONER

SUSAN D. PARKER, PhD, ASSOCIATE COMMISSIONER

WALTER THOMAS JR.

SECRETARY

MEMORANDUM

DATE: August 20, 2009

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Supplemental Agenda (1) - August 25, 2009 Commission Meeting

The Legal Division will present the following at the August 25, 2009 Commission Meeting:

DOCKET C-15606 (M) - Petition of Armondo Moses Herrera, d/b/a Herrera Trucking for approval of cargo self-insurance.

Recommend: Approval

DOCKET 30042 (M) - Petition of GoGo Delivery Service, LLC for cancellation of Motor Carrier Certificate F1976.

Recommend: Grant cancellation as requested.

DOCKET 28776 (M) - Petition of Sellers & Sons Trucking, Inc. for cancellation of Motor Carrier Certificate F2761.

Recommend: Grant cancellation as requested.

DOCKET 25980 (G) - Universal Service Proceedings. The telecommunications carriers designated by this Commission as eligible to receive high cost USF funding have all submitted acceptable plans for the expenditure of any high cost USF funding they receive in 2010. The Telecommunications Division recommends approval of such plans and certification of same to the Federal Communications Commission ("FCC") and Universal Service Administrative Company ("USAC").

Recommend: Approval of the expenditure plans submitted for Commission-designated Eligible Telecommunications Carriers and certification of same to the FCC and USAC.